

REGULAR CITY COUNCIL MEETING
OCTOBER 25, 1993

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member

ABSENT

Alan Burraston	Council Member
Rex Harris	Council Member

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Alan Riding	Asst. Public Works Director
Rusty & Margaret Dutson	City Residents
Boy Scout Troop	

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, KNAK Radio Station, and to each member of the City Council by personal delivery two days prior to the meeting.

City Attorney Richard Waddingham offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held October 18, 1993, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Public Hearing held October 18, 1993, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion

was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Special City Council Meeting held October 18, 1993, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Robert Droubay MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Robert Droubay MOVED that the accounts payable be approved for payment as listed in the amount of \$132,700.90. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESS

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE APPROVING A ZONE CHANGE FROM COMMERCIAL DEVELOPMENT (CD) TO RESIDENTIAL (R-4) ON PROPERTY LOCATED AT 79 & 93 NORTH 400 WEST

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance approving a zone change from Commercial Development (CD) to Residential (R-4) on property located at 79 & 93 North 400 West.

Attorney Waddingham presented a proposed ordinance entitled:

ORDINANCE NO. 93-154

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY FROM COMMERCIAL DEVELOPMENT (CD) TO RESIDENTIAL (R-4)

Attorney Waddingham reviewed the ordinance wherein it explains that a petition was submitted by Stephen and Alecia Riding to the Delta City Planning Commission requesting a zone change from Commercial Development (CD) to Residential (R-4). The Planning Commission felt that the zone change would create a buffer zone between the Commercial Development property to the south and the residential property (R-1-B) to the north and recommended that the zone change be approved.

A Public Hearing was held October 18, 1993, and no opposition was expressed to the proposed zone change.

Following discussion, Council Member Robert Dekker MOVED to adopt Ordinance No. 93-154 as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Alan Burraston	Absent
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Absent

Mayor Dafoe then signed the ordinance. Mayor Dafoe's signature was attested to by City Recorder Dorothy Jeffery.

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE APPROVING A ZONE CHANGE FROM COMMERCIAL DEVELOPMENT (CD) TO CENTRAL BUSINESS (CB) ON ALL PROPERTY FROM MAIN STREET BEGINNING AT 450 WEST TO 50 NORTH EXTENDING TO 450 EAST, EXCLUDING THE PROPERTY OWNED BY MILLARD SCHOOL DISTRICT AND THE PROPERTY OWNED BY DELTA CITY (CITY PARK), AND ALL PROPERTY FROM MAIN STREET BEGINNING AT 450 WEST TO 50 SOUTH EXTENDING TO 350 EAST. ALSO, APPROVING A ZONE CHANGE FROM INDUSTRIAL DEVELOPMENT (ID) TO CENTRAL BUSINESS (CB) ON PROPERTY LOCATED AT APPROXIMATELY 45 NORTH 400 WEST

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance regarding a zone change along Main Street from Commercial Development to Central Business and a zone change regarding property located at approximately 45 North 400 West, Delta, Utah, from Industrial Development (ID) to Central Business (CB).

Attorney Waddingham presented a proposed ordinance entitled:

ORDINANCE NO. 93-155

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY FROM COMMERCIAL DEVELOPMENT (CD) TO CENTRAL BUSINESS (CB) AND FROM INDUSTRIAL DEVELOPMENT (ID) TO CENTRAL BUSINESS (CB)

Attorney Waddingham reviewed the proposed ordinance wherein it explains that the Planning Commission determined a need to reclassify the downtown business district from Commercial Development and Industrial Development to Central Business due to the fact that the area is already an established business district.

A Public Hearing was held October 18, 1993, and no opposition was expressed to the proposed zone change.

Following discussion, Council Member Robert Droubay MOVED to adopt Ordinance No. 93-155 as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Alan Burraston	Absent
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Absent

Mayor Dafoe then signed the ordinance. Mayor Dafoe's signature was attested to by City Recorder Dorothy Jeffery.

ALAN RIDING, ASSISTANT PUBLIC WORKS DIRECTOR: DRAINAGE ON 250 EAST 300 SOUTH

Mayor Dafoe asked Assistant Public Works Director Alan Riding to address the drainage problem on 250 East 300 South.

Alan Riding said that following the last City Council Meeting held October 18, 1993, the drainage problem on 250 East 300 South was re-evaluated and a temporary solution was proposed. Mr. Riding recommended that a pipe be put under the street to drain water away and keep water from puddling in the street.

As a permanent solution, Mr. Riding said that for a storm drain in that location, approximately 560 feet of 15-inch pipe needs to be installed as well as two manholes and four inlet boxes. The estimated cost of the project including materials and labor is \$14,000. However, Mr. Riding said that this project could not be completed until the end of August 1994.

Margaret Dutson asked about getting curb and gutter along their street. Mayor Dafoe explained that it would be the property owners responsibility to pay for that improvement. Laying of asphalt on the street was also discussed, and Mayor Dafoe said that could be done next year as long as it coordinated with Delta City's overall street upgrade plan.

MAYOR DON DAFOE: CEMETERY BRIDGE REPLACEMENT

Mayor Dafoe said that Sunrise Engineering Inc. was contacted to estimate the cost for the removal and replacement of the Cemetery Road Bridge and reviewed the following response from Sunrise Engineering Inc.:

"Sunrise Engineering has been requested to put together a cost estimate for the removal and replacement of the existing bridge that crosses the irrigation canal near

the Delta City Cemetery. It is our understanding that this bridge is located on 50% Delta City property and 50% Millard County property. In order to avoid any further lawsuit, both Delta City and Millard County have expressed a desire to replace the bridge and construct a structure conforming to AASHTO standards. This bridge does not qualify for federal aid assistance. If the City and County would like to replace the bridge, the total cost is estimated to be \$66,000. This would require a commitment from both entities of \$33,000. Upon your approval and Millard County's approval, we will put together an agreement and move forward with construction documents and specifications. A detailed cost estimate is attached."

Mayor Dafoe said that Millard County has committed to budget \$33,000 for their share of the bridge replacement. However, he said that it could be two or three years before Delta City could participate with their share of the cost.

Discussion was held regarding the estimated cost of \$66,000 and the City Council felt that the bridge could be replaced for alot less. There was no City Council action taken at this time.

MAYOR DON DAFOE: REQUEST TO COVER DRAIN ON 350 EAST

Mayor Dafoe said that Sunrise Engineering Inc. was contacted to estimate the cost for installation of a drainage system along 350 East and presented the following response from Sunrise Engineering Inc.:

"Sunrise Engineering has been requested to put together a cost estimate for the installation of a drainage system along 350 East, near the Delta City Cemetery. Our preliminary costs estimate to design and construct a functional drain system including earthwork is \$37,000. Upon your approval, we will put together an agreement and move forward with construction documents and specifications. A detailed cost estimate is attached."

Following discussion of the above proposal, Council Member Gayle Bunker recommended that Delta City not get involved in covering the open drain on 350 East, and that it be Andy Thompson's (property owner) responsibility in developing his property.

The City Council concurred that Andy Thompson be given the cost estimate figures from Sunrise Engineering Inc. and be informed that Delta City is not interested in participating in the project.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION REGARDING DRUG FREE WORKPLACE

Mayor Dafoe asked Attorney Richard Waddingham to present a

resolution regarding a Drug Free Workplace.

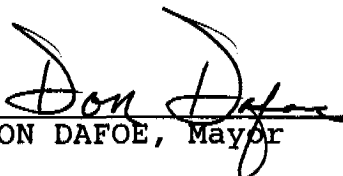
Attorney Waddingham presented a draft resolution and requested guidance from the City Council regarding several issues involved in establishing a Drug Free Workplace Program. Discussion was held and issues were addressed concerning rehabilitation, termination, training, administration, etc. regarding a Drug Free Workplace.

Council Member Robert Droubay MOVED to table discussion of this issue until the next Regular City Council Meeting to allow Attorney Waddingham time to prepare a final resolution. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Assistant Public Works Director Alan Riding said that Sahara Motors has their government discount of \$1,000 in place and requested authorization to resubmit bid specifications for a 1994 mid-size truck to be used by the Public Works Department. Mr. Riding was instructed to resubmit the bid specifications.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Robert Dekker MOVED to adjourn. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:30 p.m.


DON DAFOE, Mayor

DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 11-08-93